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| |) | |
| EUDELL S. DUVALL, Derivatively On |) | |
| Behalf of BIOMIMETIC |) | |
| THERAPEUTICS INC., |) | Civil Action No. 3:11-cv-00775 |
| |) | |
| Plaintiff, |) | |
| |) | CLASS ACTION |
| v. |) | |
| |) | Judge Kevin H. Sharp |
| SAMUEL E. LYNCH, et al. |) | Magistrate Juliet E. Griffin |
| |) | |
| Defendants, |) | |
| |) | |
| and |) | |
| |) | |
| BIOMIMETIC THERAPEUTICS, INC., |) | |
| |) | |
| Nominal Defendant. |) | |
| |) | |

On this day came to be considered the Joint Motion to Dismiss Without Prejudice filed by Plaintiff Eudell S. Duvall and Defendants Samuel E. Lynch, Larry W. Papasan, Thorkil K. Christensen, Christopher B. Ehrlich, Gary E. Friedlaender, Charles W. Federico, James Murphy, and Douglas G. Watson and Nominal Defendant BioMimetic Therapeutics, Inc. The Court, having considered the merits of said Motion, finds that said Motion is well taken and is GRANTED. Accordingly:

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It is so ORDERED.

Dated: October 4, 2013



KEVIN H. SHARP
United States District Judge

**AGREED TO AND APPROVED
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